# Literary Cabinet.

Si non tantus fructus perciperetur ex his studiis, quantum percipi constat, sed ex his delectatio sola peteretur; tamen hæc animi remissio judicanda esset libero homine dignissima. CICERO.

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## CONDITIONS.

I. THIS Paper will be under the direction of Editors, chosen from the Senior Class.

II. It will be published once a fortnight, on a half sheet, in the octavo form.

III. Its price will be *One Dollar* per annum—*Fifty Cents* to be paid in advance.

IV. Persons not living in this city must pay the whole subscription *in advance*.

## *On the Profession of Law.*

No. V.

PERHAPS no objection to Lawyers is more common, than that by their powers of speaking, and the readiness with which they espouse any cause, they confuse, perplex and mislead the minds of the awarders of justice, and thus obstruct its pure distribution.—Let this occupy the first place.

The intention of the man who engages an advocate, is, that all the favorable circumstances of his case shall be clearly and forcibly stated to the tribunal which is to decide it. As human language is imperfect, and as human decisions sustain the same frail character, there must of necessity be frequent occasions for extensive argument in matters of mere law. And as facts are in this world, disclosed for the most part by testimony, an ample field is here opened for the ingenious lawyer to expatiate. But, pray where is the harm of using arguments upon such subjects, more than on any other? Does not every man, when stating a case in which he is much concerncd, fall naturally and involuntarily into argument? How can this be prevented? Would it promote public justice to chain down the parties to a dry narration of facts, or a drier statement of law, without permitting them to show the order, congruity, and dependence of the facts, or the reason, application, and use of the law? Does it then, throw no light upon a subject to have it examined by a vigorous and active mind, a mind conversant in such affairs, and able to illustrate any topic? We sometimes hear jurors say, that they never alter their opinions after hearing the testimony, that they would willingly sleep the whole time lawyers are speaking, and a variety of things like these. But these are the remarks of very stupid men, or of those who wish to give themselves credit for a great deal more perspicacity

than any man possesses. No person will say that he gains no knowledge of an intricate case, by hearing it argued by men of talents, unless he is too dull to learn, or too vain to be taught.—Lord Mansfield, who had no mean intellect, and who was probably as able a Judge as ever adorned a court, frequently said, in giving a solemn judicial determination, that when he first heard the case which he was deciding, he was of a different opinion, but the arguments of counsel had convinced him he was wrong.—Our opponents, however, further insist, that they find not so much fault with the exercise, as with the abuse of the orator's powers. They alledge, that when lawyers are employed to argue, their whole object is to circumvent each other, and to get their client's cause, at the expence of reason, truth, and justice. As this is mere assertion, it is sufficient to repel it by a mere assertion that it is not true. But this single consideration is sufficient to *prove* it false. Lawyers, in every civilized country, have been considered as among the most honorable men of their time; which could never be the case, if it were generally understood, that they were as willing to invent falsehood, as to defend truth.—Those who assume a character for money, will always be contemptible, whether found at the bar or in the theatre. I appeal to facts as a further proof. Glaring instances of iniquity may be found among any class of men; but no intelligent observer will say, that the least coloring or fraud need to be practised in the most extensive and lucrative employment at the bar. After all, the great noise with respect to the duplicity and chicane of lawyers, is owing, (more than to any one besides,) to what seems a great paradox in the minds of many honest men; namely, that so much truth should be found on both sides of a question. They do not consider, with good Sir Roger de Coverly, that much may be said on both sides of almost any controverted point. Nor do they consider, that the very reason why points are controverted at all, and brought into courts of justice, is, that much can be said on both sides, and each party claims himself to be in the right. But if there is so much danger in hearing men argue, what folly is it for legislative bodies to suffer themselves to be amused in this manner? Why do not your proposers of laws content themselves with making a statement of facts, or perhaps with bringing forward a mathematical demonstration of the *quantum* of happiness to be produced by their schemes, and then leave the house to what is called an unbiased decision? If public speaking is to be permitted at all, it should maintain its stand at the bar. It is there less liable than elsewhere to triumph for want of an able opponent, and it is there under the controul of men who are supposed to know enough not to become the dupes of any labored fallacy whatever. As to appeals to the passions in courts of justice, they are rarely heard of in modern times; at least they are not directly made, unless in very important criminal cases, when we ought to allow something to the distress and anxiety of the accused, and the importance of the occasion; and when indirectly made, they are as apt to turn against the exciter, as to remain in his favor. I close this

objection by observing, that where the advocates employed by the different parties are very unequal, there may be some ground to apprehend undue influence; (and what human faculty or attainment is there, against which as much may not be truly said?) but that in cases most seriously labored, by the ablest men, we hear little complaint of a partial or unsatisfactory determination.

COKE.

[*To be continued.*]

## *On Rhyme.*

IT has been no uncommon thing among the moderns to find that those inventions and discoveries, which they had attributed to themselves, had originated among the ancients. Locke undoubtedly owed many of his principles to Lucretius, and Stanhope not improbably derived his idea of a returning stroke, from the Pharsalia of Lucan.* Another subject, upon which justice does not seem to have been done to the ancients, having presented itself to my observation, I shall enter, but slightly however, into an examination of it. The Greeks and Romans have been generally considered as having been entirely unacquainted with rhyme: this method of writing poetry being usually attributed to the northern nations. With regard to the Greeks, I shall pass them over, at present, in silence, because I have not examined their poetry so extensively as to be able to judge. But in my view we cannot reasonably disbelieve the assertion that it was not unknown to the Romans. It is in vain to say that we do not find it in general use among them: that we have no rules with regard to it, and that there are no circumstances in the ancient rhetoricians which can lead us to suppose that they had a knowledge of rhyme. Had we now no account of Sotades and his verses, nor the 14th Ep. of Sidon. Apollinaris, we should consider the moderns as the inventors of Sotadical lines, and thus father Pompery and such other geniuses would be looked upon as having given rise to this kind of poetry. We scarcely ever see English poetry written after the manner of the ancient heroic poems, yet instances have been witnessed. If therefore the unfrequency is an argument against rhyme, as having been known to the Romans, it will be equally valid with regard to the instances which I have enumerated. I shall not enter here, into an examination of the reasons why we find so few rhyming lines among the Latin poets. They will present themselves to every one, who reflects on the subject, and moreover, I shall then be obliged to extend my present observations farther than I design.

Were we to leave no other proofs to posterity, of our having written rhyme, than the eighteen first lines of Congreve's imitation of the Eleventh Satire of Juvenal, it might be reasonably doubted whether we had any knowledge of it.* Other instan-

* The curious may satisfy themselves by reading the first book of Lucretius, and the second of Locke together. The lines alluded to in Lucan are these; "Qualiter expressum ventis per nubila fulmen "Emicuit rupitque diem ——————." —— magnamque cadens, magnamque *revertens*.— "Dat stragem latè sparsosque *recolligit* ignes." Phars. L. 1. v. 151.

* The terminations are "feasts, guests; treat, state; worth, forth; jests, feasts; grown, town; blood, good; advice, choice."

ces could be also mentioned, but I am satisfied with this. Now we can produce far less doubtful instances from the Latin poets, and must therefore, be obliged to acknowledge that it is highly probable they were acquainted with rhyme. I shall here introduce but two quotations, though I might quote a much greater number.* Those which I shall cite are from Martial, L. 9. Ep. 47. and from Ausonius, Ep. 30. Here they are:

*Mar.* 9, 47.

Gellius ædificat semper: modo limina ponit:
Nunc foribus claves aptat emitqe seras:
Nunc has, nune illas mutat reficitque fenestras:
Dumtamen ædificet quidlibet ille facit.
Oranti nummos ut dicere possit amico
Unum illud verbum Gellius, ædifico.

*Aus. Ep.* 30

Ogygia me Bacchum vocat:
Osirin Ægyptus putat:
Mysi Phanacen nominant:
Dionyson Indi existimant:
Romana sacra Liberum:
Arabica gens Adoneum':
Lucaniacus Pantheum.

If these pieces are not written in rhyme, I must acknowledge that I am unable to tell what rhyme is. The terminations are certainly similar in sound, and as exactly so as any in the works of Pope. Should the same endings occur in English poetry, we would not hesitate to say that the piece was written in rhyme; why not then pass the same judgment upon these epigrams, tho' they are written in Latin? I am sensible it may be said that this remarkable coincidence of sound is attributable to chance and not to the intention of the writer. But, for myself, I should as soon believe with some, that Homer drew his description of Elysium from the scenery of the Shetland Islands. Were we to declare that Amaltheus' famous epigram on Louis de Maguiron, and the Princess of Eboli, had been written in Pentameter and Hexameter verse undesignedly, we should be deservedly considered as sceptical indeed. Why should it not then be thought equally absurd to suppose that these Poems were composed, without the poets's intending that the lines should correspond. It may be said the verses are not regularly ranged in the first; for that the first and second pair should rhyme, like the third, or at least that the first quatrin should consist of alternate lines, as in the elegy. But with regard to the latter part of the objection, we have two instances of similar versification in the lines which were written on Mic. Angelo's famous statue of Night, and in his answer. As to the former, the epitaph on St. Pavin, by de Fieubet, is a sufficient refutation. It is as follows:

" Sous ce tombeau git St. Pavin:
Donnes des larmes a sa fin.
Tu fus de ses amis peutêtre:
Pleure ton sort: pleure le sien:
Tu n'en fus pas: pleure le tien,
Passant, d'avoir manqué d'en être."

The same arrangement of rhyme is found in Boileau's epigram on St. Pavin, and in Maynard's on St. Amand. The only difference is, that the quatrain in Martial, comes first: but in de Fieubet's piece, it is last. This discrepancy is, however, slight: and indeed had we no instances among the moderns, of a like arragement of parts, we would not be justified in considering it as a po-

* See Mart. ii. 5, 11, 46. vi. 37, 40. x. 97. xiii. 39, 112, 114, 123. xiv. 33, 45, 178, 203. Auson. Ep. 14, 21, 23, 28, 31, 95, 127. Aus. Epit. Hero. 10. Eclogar. 17. Pallad. de Siliquâ. Virgil's Hos ego, &c.

em, not written in rhyme. Irregularity of construction, will not, however, avail against the other piece, nor against many of those which I have quoted. As I propose making another communication, I shall conclude here, and at the same time invite the curious and the learned to join in the investigation of this hitherto unnoticed and unexamined subject.

PALÆPHILUS.

## *The Essayist.*

No. IV.

EVERY person, when he arrives at that age in which he begins to be conscious of his situation in the world, forms in his mind images of felicity, which he expects to see realized.—These images are as various as the circumstances of those who form them. Some look forward to the time when they shall roll in wealth; others expect to be covered with honors and applause; and others seek only the enjoyment of domestic comfort and tranquillity. The student, when he is first initiated into the mysteries of learning, feels his soul expand with every new accession of knowlenge, and fixes his eye upon the period when he shall shine in the University, esteemed by his instructors, and admired and loved by his companions in study. Perhaps he pants for the goal of his profession, and fancies himself already a learned and eloquent Lawyer, a sound Divine, a skilful practitioner of physic.

Such are some of the most usual prospects which men paint on their minds, and which "play around the visions of the future in the sweetest enchantment." How melancholy is the thought, that they are in the gross, purely ideal —mere phantoms of the brain! They recede with every moment of approach, constantly elude the attempts of him who endeavors to reach them, and forcibly teach us the inanity of worldly expectations. Any man who will take a retrospect of his past life, will see little more than talents abused, opportunities neglected, and hopes blasted.

It is probable that when the mind first receives the impressions we have described, it is capable of attaining the object in view, provided in its progress, it should not deviate a single *iota* from the course proposed. To illustrate this idea; if the energies of the man were directed to the accomplishment of every minute part of his scheme, and the interval from the first commencement to its completion, were filled up as contemplated in the beginning, there would be no danger of a disappointment. The whole result of the scheme would be answerable to the design of its original conception. But as some of the necessary means are almost invariably overlooked in the prosecution of these great purposes, they are in most cases, obnoxious to a mortifying failure of success.

With regard to the student, (whom this Essay particularly concerns,) the causes of disappointment are numerous. The ordinary accidents of life, and the unceasing fluctuation of circumstances, throw unexpected difficulties in the way which he may have chosen. Change of disposition is consequent upon these, and effectually aids in hindering the performance of the best resolutions. But this is only generally mentioning the obstacles to learning, and those too which are common to other pursuits:—let us briefly particularize.

When youths are first removed from the school into the university, things assume to them a novel aspect. The academical exercises are such as they have never realized. The course of study to be pursued, punctual attendance on various public meetings, and many other circumstances which they had not provided for, disconcert the wisest plans of improvement. Consequently, they must be either new modelled and made to conform to the unforeseen situation of him who devised them, or be entirely broken off. In the former case, the misfortune still remains, that a thousand little incidents may occur, which will prevent the execution of the scheme. For this reason alone, it appears preferable, that the project be wholly laid aside. More plainly will it thus appear, when we consider that the scheme of a youth is to be given up for that of hoary headed wisdom; one which has existed only in the brain, for that whose merits the experience of ages has proved.

SEDWEL.

## *On the Style of Virgil's Pastorals.*

THE first object which usually presents itself for the critic's investigation, when employed in examining the beauties and defects of an author, is his style. In this point of view, Virgil appears to the greatest advantage. The style which he has adopted in his Bucolics is almost unexceptionable. The amenity and smoothness which charms the ear, connected at the same time with that graceful simplicity, so peculiarly adapted to the Eclogue, render it worthy of the highest admiration. Nor is this sweetness and simplicity, that of monotony and unpolished nature. However smoothly his verses may flow, yet they are never disagreeable to the ear, since there is always a sufficient variety in them to prevent the fancy from being disgusted. In some parts we meet with sentences constructed in the most elegant manner, and as handsomely rounded as those of Isocrates, or Cicero. The following passage from the 5th Eclogue is a complete exemplification of this:

Tale tum carmen nobis, divine poeta,
Quale sopor fessis in gramine, quale per æstum
Dulcis aquæ saliente sitim restinguere rivo. *E. 5. v. 45.*

If we compare this perfect sentence with many others equally beautiful, particularly in the 1st, 4th and 10th Pastorals, we will perceive that they are all remarkable for dignity and smoothness, but that they differ from each other materially on account of the delicacy and art, which the poet has manifested in the construction of his lines. Nor is the style of Virgil universally smooth alone. There are some passages in his Bucolics, which show us clearly that though a pleasing flow of language and delicacy of expression are its principal characteristics, yet that he knew how to diversify it when his subject required a change. How spirited are not the following lines from the 1st eclogue.

Impius hæc tam culta novalia miles habebit!
Barbarus has segetes! En quò discordia cives
Perduxit miseros! En queis consevimus agros! *E. 1. v. 71.*

What renders this passage particularly worthy of applause is the contrast observable between it and the following, which is as

sweet as any that can be found in his works. Remark the difference—

Insere nune Melibæe pyros: pone ordine vites,
Ite meæ, quondam felix pecus, ite capellæ.

The dissimilarity between these passages is so great that we are almost tempted to think that the soul of Homer was transfused into the poet, when he wrote the first, and that of Simonides when he penned the last. The first so spirited, so irregularly beautiful, the last so soft, so plaintive and so delicate. The expression *quondum felix pecus*, is almost above commendation. It paints in so lively and affecting a manner the sorrow of the Shepherd, and presents so vivid a contrast between his former and present situation, that we pause with involuntary pleasure, and dwell on it with delight. Observe what animation, what deep-felt fervor glow in these lines, from the 5th pastoral.

Ipsi lætitia voces ad sidera jactant
Intonsi montes: ipsæ jam carmina rupes:
Ipsa sonant arbusta: Deus, Deus ille, Menalca. *E. 5. v. 62.*

This passage is an excellent exemplification of that figure of rhetoric which is called *incrementum*. Here the poet rises by degrees with his subject, till at last he gives vent to the fervor of his feelings and the warmth of his fancy in that admirable exclamation, *Deus, Deus ille, Menalca.*— This is the language of passion. It is the offspring of genuine feeling, of poetical enthusiasm, and could only spring from a mind which had felt the magic of the Muse's wand. The dignity which Virgil has infused into some parts of his Eclogues, furnishes another theme of commendation for the critic who is emplored in the examination of his style. The 4th Bucolic, entitled, Pollio, affords many proofs of the poet's skill in this point of view. I have selected the following passage as eminently beautiful in this respect—

"Aggredere, O magnos, aderit jam tempus, honores.
Adspice convexo nutantem pondere mundum,
Terraque, tractusque maris, cælumque profundum:
Adspice venturo lætentur ut omnia sæclo."

The majestic flow of language which characterizes these lines is extremely applicable to the subject, and might vie with the majesty even of the epic strain.

There are some few passages in Maro's Eclogues, which are remarkable for the satirical vein which characterizes them. The reply of Damætas to Menalcas, in the 3d Bucolic, when accused by him of infidelity to his master, furnishes an appropriate instance. His answer is as follows:

Parcius ista viris tamen objicienda memento.
Novimus et qui te....transversa tuentibus hircis,
Et quo, sed faciles Nymphæ risere, sacello. *Ec. 3. v. 7.*

There is an archness of expression, a poignancy of reproach and delicacy of satire in these lines, which is admirably adapted to sarcastic writing. Many other passages occur in the same Pastoral, and a few are to be met with in different parts of his other Eclogues. Another kind of style which we meet with in Virgil, is that which the French call "style coupe." In several of the Eclogues of Virgil, we have some fine exemplifications of this kind of writing. The 7th furnishes us with many instances. The following passage is very beautiful:

Populus Alcidæ gratissima: vitis Iaccho:
Formosæ myrtus Veneri: sua laurea Phæbo:
Phyllis amat corylos; illas dum Phyllis amabit,
Nec myrtus vincet corylos, nec laurea Phœbi.

The simple and pleasing nature of the ideas, the unaffected ease, and the variety in the versification of these lines render them worthy of the critic's applause. Having thus far examined the variety of Virgil's style, I shall conclude with some observations on its simplicity. In this point of view, the poet deserves the highest admiration. We immediately perceive, that he had an extremely correct and delicate taste, a chaste imagination, and a nicety of judgment which seldom erred. He is distinguished for an easiness of manner, simplicity of arrangement and propriety of expression, which whilst they enchant us, mark him at once the poet and the critic. He is simple, yet elegant and polished; natural, but not affected or artificial. In a word, he delights, but does not dazzle us; and, if he has adorned his style with beauties, they are rather the delicate wild flowrets of nature, than the gay, the rich and the splendid wreaths of art.

# The Bower.

.....Sometimes
We bid bright Fiction to resemble Truth,
And sometimes speak what Truth herself approves.
HES. THEOG.

## *THE HONEY STEALER.*

*Imitated from Theocritus,*
IDYLLIUM XIX.*

Roguish Cupid, tir'd of play,
Rambling thro' the woods one day,
Chanc'd a hive of bees to see
In the hollow of a tree.
" Hah!" the little bowyer cried,
" Now I have a treasure spi'd,"
At the comb he made a pass,
But his hand was stung, alas!
Then to Venus, (pale with pain,)
Cupid hied him to complain,
That so small an insect's found,
Which could give so great a wound.
" Hah! and is it strange," cri'd she,
" You are little like a bee.
" Still your peace-destroying dart
" Oft enflames the human heart;
" And the wounds you make men feel,
" Nought but Hymen's hand can heal."
C.

* *Thos. Martin's edition.*

## *MAY.*

The myrtles are blooming, all nature is fair,
The carols of birds on each side soothe the ear:
Who would not be happy? who would not be gay?
So charming the scene and so pleasant the day.
In yon lovely arbour the Graces are seen,
Which sometimes they leave for the wide-spreading green,
There calling the wood-nymphs, so blithe and content,
They join in a ring, and beat the smooth extent.

*Solution of the Charade, page 40.*

Unless invention is an arrant liar,
Your first, a good, though dang'rous thing, is *fire:*
Your second, I, without a doubt, declare
To be a *lock*, of iron, or of hair;
And by your whole, I think 'tis clearly seen,
A *firelock* is the fatal thing you mean.
B.

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